

FILED

JUL 17 2009

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1. Andre' CARPIAUX in pro per
2. 1264 Ocean Av. EMERYVILLE
3. Cal. 94608-1148
4. tel. 510 292 9807
5. Home and fax 510 601 1382
CXEngineers@yahoo.com
6. Andre' CARPIAUX UNITED STATES DISTRICT COURT
7. PLAINTIFF NORTHERN DISTRICT
8. Vs SAN FRANCISCO CALIFORNIA
9. Redevelopment Agency CASE # C - 08 - 4347 - B. Z.....
10. City of Emeryville et al., REQUEST FOR A
11. DEFENDANTS STIPULATION FOR A CONTINUANCE
12. Plaintiff Andre' CARPIAUX submit he does not have access to his legal help for an
13. adequate guidance to proceed in his filing. Plaintiff CARPIAUX was informed on
14. June 29 2009 that his Attorney would unexpectedly be out of her office for a period
15. of about 30 days and will not be available for counsel until the middle of August
16. I was advised to check her office since no specific date was given for her returns.
17. I made frantic inquiry to the S. Fr. BAR by E-mail. NO one ever answered my calls
18. for help or consultation which makes me believe that none is interested in the Brown
19. Act, A.D.A. and Elder Abuse complaints. In the interest of all parties concerned,
20. I am requesting a stipulated continuance of 60 days as of today July 15, 2009
21. Date *July 15-009* Signature *Andre' Carpiaux*
22. *Exhibit BAR* Plaintiff in pro se Andre' Carpiaux.

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



PUBLIC INQUIRY UNIT
P.O. BOX 944255
SACRAMENTO, CA 94244-2550
(916) 322-3360
TOLL FREE: (800) 952-5225
TTY: CA Relay Service
(800) 735-2922

June 19, 2009

PIU: 282609

Mr. Andre' Carpiaux
1264 Ocean Avenue
Emeryville, CA 94608-1148

RE: City of Emeryville

Dear Mr. Carpiaux:

Thank you for your correspondence to the Office of the Attorney General regarding a city employee, agency, or official. We always appreciate hearing from citizens on matters of public concern.

Finally, if you have concerns about the legality of an action taken by your city authorities, or if you need assistance resolving a dispute with your city authorities, we recommend that you consult with a private attorney.

We hope that this information will be helpful to you. Thank you again for contacting our office.

Sincerely,

A handwritten signature in cursive script that reads "C. Hallinan".

C. Hallinan
Public Inquiry Unit

For **EDMUND G. BROWN JR.**
Attorney General

Andre' CARPIAUX
1264 Ocean Av.
Emeryville, Cal. 94608
tel. 510 292 9807
Home and fax 510 601 1382

Case # C - 08 - 4347 B.Z.
Facsimile (425) 982 1634
LOW, BALL & LYNCH
DIRK D. LARSEN # 246028
DALE L. ALLEN # 145279

Ref.; Opposition to dismiss

Dear Mr Larsen;

I did not heard from you or your office about my request for a " Continuance " and as a consequence I filled my opposition to dismiss motion. It is somewhat muddled because for the search of the evidence " exhibits " are hard to present. I am relying on E-mail and correspondences in which the date and time precision have overlaps or combined with other form of communications. Some of my correspondents may get offended that I present for the public records with this litigation communication that are " private " especially since the wide range of retaliation tools the City has at its disposition in making life miserable to its targeted citizens. The Case of the MORANS Vs City of Emeryville shows only a partial view of what the Morans had to endure in the hand of some City Elected Officials who takes the Law in their own hands and are in turn or their agents " immune " from crimes in prosecution and convictions and above all if the City has to pay for damages they maliciously do " its not their money " Some of my correspondents may loose their jobs or may already have because the termination of their employment is at the discretion of the whim of the City Council majority and its anonymous under handed makes the whole scene a fearful ugly situation. I have more implicating evidences of City Council members moral turpitude in which I should be allowed to present when the trial takes place. Including herewith a demand for a request the opening of the " money " book to question the wisdom of its expenditures and if possible expose to people's satisfaction if money spent responds to the present economic climate. Please let me know if you can handle it. If not I would file it with the Court.

Sincerely yours.

July 09-009

Andre' Carpioux

Andre' CARPIAUX
1264 Ocean Av.
Emeryville, Cal. 94608
tel. 510 292 9807
Home and fax 510 601 1382

Case # C - 08 - 4347 B.Z.
Facsimile (415) 982 1634
LOW, BALL & LYNCH
DIRK D. LARSEN # 246028
DALE L. ALLEN # 145279

Ref.; (Motion to Amend) " Stipulation for a continuance "
Dear Mr Larsen;

Thank you for your facsimile of July 06- 2009 I regret having made a misleading statement as I was not sure how to make my request for a continuance. A motion to Amend is not a request for a stipulation for a continuance. I have made an answer to your original response on my original complaint and I should file it tomorrow July 07- 2009. However, I am afraid it would not answer your answer, this said I should wait, because time has changed and the aim of my complaint is being modified to see fit, this in my original complaint I expected an injunction order to take place to effectively prevent the work on the planned Park from beginning. It turned out the City did not pay any attention to my grievances and proceeded in the construction of the Park over my objections. The City takes the law into its own hands. This in itself proves my claim of its abuse of handicapped citizens, a.w.a. elder abuse. Many older citizens suffer from a variety of invalidities and the jokes and mimicking I have faced illustrate my claims. The elder abuse laws were not made in vain. At the present time, the Park is completed, for all intents and purposes it would not be demolished to please my wishes to have a different Park or a different structure to accommodate the vision of that parcel of land. My complaint takes a different turn by the City's actions of aiding and abetting in the violation of the Brown Act, violation of the A.D.A. The Pros Park steam-rolled over my grievances by factually ignoring my legitimate participation in this neighborhood project. As a full consequence, I am contemplating monetary compensation for the damages the Park will cause on my property value, damages to my security, quality of life and other anxieties associated with the making of the Park. Time frame has matured for the claims. The computation of the amount of damage claims would have to be researched with its formulation based on preceding, existing and ongoing facts. Time is needed for that. The show of force and re-assuring dialogue made by the Police spokes persons made an irrevocable statement of " crime pot " I am requesting a continuance of sixty days to amend my complaint for damages. Please consider that I am not geared to fall prey to the time schedule said by the Court. I am not an athlete in the Court of Law or in shape to compete on equal basis with Law Offices, I do not have the resources and or the facilities for you or the Court to assume litigation efficiency.

*July 07-2009 Sincerely Yours
Andre' Carpioux*

From: Andre Carpiaux (cxengineers@yahoo.com)
To: sfbar@org/lris.com
Date: Tuesday, July 7, 2009 7:08:57 AM
Subject: Re: A.D.A. Brown act

BAR

Dear Referral Service;

You said in your advertisement
that you will contact any inquiry for your referral service
within two days. I have not been contacted yet !
Do you have a fax number set up to receive messages ?
Please let me know .
Thank you.
Andre' Carpiaux.

From: Andre Carpiaux <cxengineers@yahoo.com>
To: sfbar@org/lris.com
Sent: Monday, June 29, 2009 7:12:55 PM
Subject: Re: A.D.A. Brown act

Dear referral service;

I am a pro se litigant, I am in search for an attorney
familiar with A.D.A. and the Brown Act.
I am available anytime but I prefer morning hrs
Carpiaux Vs Emeryville # C-08 - 43-47 - B Z
Tel 510 292 9807 cell phone
Because of my hearing impairment please E-mail
Thank you. Andre' Carpiaux

From: lawyerreferral@sfbar.org ()
To: cxengineers@yahoo.com
Date: Monday, June 29, 2009 7:34:41 PM
Subject: Your Recent Request

Please DO NOT reply to this email as it is an automated response.
If you have additional questions at this time,
please see the contact information below.

Thank you for contacting the Lawyer Referral and Information Service. We have received your online request for a referral to a lawyer and are currently reviewing your information.

We will make an effort to contact you in one or two business days. If you have not received a telephone call or email from our service within two business days, please call us at (415) 989-1616 to check the status of your online request.

If you have any additional questions at this time, please don't hesitate to call us at (415) 989-1616. Thank you.

Sincerely,
The Lawyer Referral & Information Services
The Bar Association of San Francisco

Leave messages